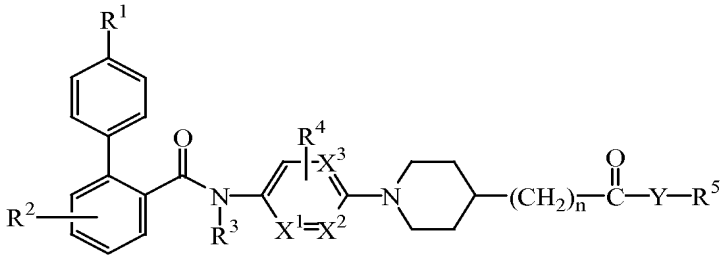
Amendments to the Claims:

This listing of claims replaces all prior versions, and listings, of claims in the captioned application.

Listing of Claims

Claim 1. (currently amended) A compound of formula (I)



(I),

the *N*-oxides, the pharmaceutically acceptable acid addition salts and the stereochemically isomeric forms thereof, wherein

R^1 is hydrogen, C_{1-4}alkyl, halo, or polyhaloC_{1-4}alkyl;

R^2 is hydrogen, C_{1-4}alkyl, halo, or polyhaloC_{1-4}alkyl;

R^3 is hydrogen or C_{1-4}alkyl;

R^4 is hydrogen, C_{1-4}alkyl, or halo;

n is an integer zero or 1;

X^1 and X^2 are either both carbon, ~~or when one of X^1 or X^2 is nitrogen, than the other X^1 or X^2 is carbon~~ X^1 is carbon and X^2 is nitrogen, or $X^1$is nitrogen and X^2 is carbon;

X^3 is carbon, or nitrogen provided that only one of X^1 or X^2 is nitrogen;

Y is O or NR^6 wherein R^6 is hydrogen or C_{1-4}alkyl; and

$R^5$is hydrogen; C_{1-6}alkyl optionally substituted with C_{1-4}alkyloxy, cyano, polyhaloC_{1-4}alkyl, or aryl; C_{2-6}alkenyl optionally substituted with aryl; C_{3-6}alkynyl optionally substituted with aryl; aryl or heteroaryl;

aryl is phenyl; phenyl substituted with one, two or three substituents each independently selected from nitro, azido, cyano, halo, hydroxy, C_{1-6}alkyl, C_{3-6}cycloalkyl, C_{1-4}alkyloxy, polyhaloC_{1-6}alkyl, amino, mono- or di(C_{1-6}alkyl)amino;

heteroaryl is pyridinyl, pyrazinyl, pyrimidinyl, pyridazinyl, triazinyl, triazolyl, imidazolyl, pyrazolyl, thiazolyl, isothiazolyl, oxazolyl, pyrrolyl, furanyl, or thienyl; and optionally substituted with one, two or three substituents each independently selected from nitro, azido, cyano, halo, hydroxy, C_{1-6}alkyl, C_{3-6}cycloalkyl, C_{1-4}alkyloxy, polyhaloC_{1-4}alkyl, amino, mono- or di(C_{1-6}alkyl)amino.

Claim 2. (orginal) A compound as claimed in claim 1 wherein X^1, X^2 and X^3 are carbon.

Claim 3. (original) A compound as claimed in claim 1 wherein X^1 is carbon, X^2 is nitrogen, and X^3 is carbon.

Claim 4. (original) A compound as claimed in claim 1 wherein X^1 is nitrogen, X^2 is carbon, and X^3 is carbon.

Claim 5. (previously presented) A compound as claimed in claim 1 wherein n is the integer zero.

Claim 6. (currently amended) A compound as claimed in claim 1 <u>wherein</u> n is the integer 1.

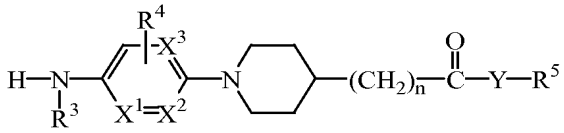
Claim 7. (previously presented) A pharmaceutical composition comprising a pharmaceutically acceptable carrier and a therapeutically active amount of a compound as claimed in claim 1.

Claim 8. (previously presented) A process for preparing a pharmaceutical composition as claimed in claim 7 wherein a therapeutically active amount of a compound as claimed in claim 1 is intimately mixed with a pharmaceutically acceptable carrier.

Claim 9. (canceled)

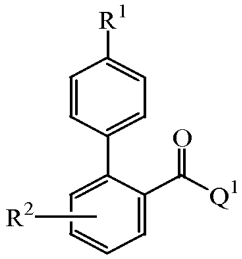
Claim 10. (previously presented) A process for preparing a compound of formula (I) wherein

an intermediate of formula (II), wherein R^3, R^4, R^5, n, Y, X^1, X^2 and X^3 are defined as in claim 1,



(II)

is reacted with a biphenylcarboxylic acid or halide having the formula (III), wherein R^1 and R^2 are as defined in formula (I) and Q^1 is selected from hydroxy and halo, in at least one reaction-inert solvent and optionally in the presence of a suitable base



(III)

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Claim 11. (previously presented) The method according to claim 10 further comprising converting the compound of formula (I) into an acid addition salt.

Claim 12. (previously presented) A compound as claimed in claim 2 wherein n is the integer zero.

Claim 13. (previously presented) A compound as claimed in claim 3 wherein n is the integer zero.

Claim 14. (previously presented) A compound as claimed in claim 4 wherein n is the integer zero.

Claim 15. (previously presented) A compound as claimed in claim 2 wherein n is the integer 1.

Claim 16. (previously presented) A compound as claimed in claim 3 wherein n is the integer 1.

Claim 17. (previously presented) A compound as claimed in claim 4 wherein n is the integer 1.

Claim 18. (previously presented) A method of treating a warm-blooded animal suffering from a disorder caused by an excess of very low density lipoproteins (VLDL) or low density lipoproteins (LDL) comprising administering to the animal a therapeutically effective amount of a compound of claim 1.

Claim 19. (previously presented) The method according to claim 19 wherein the disorder is caused by the cholesterol associated with the VLDL or LDL.

Claim 20. (previously presented) The method of treatment according to claim 17 wherein the disorder is hyperlipidemia, obesity, atherosclerosis or type II diabetes.

Claim 21. (previously presented) The method of treatment according to claim 18 wherein the disorder is hyperlipidemia, obesity, atherosclerosis or type II diabetes.